

Exhibit R

1 DEPARTMENT OF POLICE ACCOUNTABILITY
2 DPA CASE NO.: 0164-16
3
4 INTERVIEW OF: [REDACTED]
5 DATE OF INTERVIEW: 09/25/2017
6
7
8 INV. STONECIPHER: This interview is regarding DPA Case
9 number 0164-16. This is Investigator Matt Stonecipher,
10 Department of Police Accountability. I'm on the phone with
11 [REDACTED] will you please spell your first and last name for
12 the record?
13 [REDACTED]: Okay. Last name, [REDACTED]. First name, [REDACTED].
14 INV. STONECIPHER: Do you understand that I'm recording
15 our conversation?
16 [REDACTED]: Excuse me?
17 INV. STONECIPHER: Do you understand that I'm recording
18 our conversation?
19 [REDACTED]: Yes.
20 INV. STONECIPHER: Do I have your permission to record
21 this conversation?
22 [REDACTED]: Yes.
23 INV. STONECIPHER: Okay. So, [REDACTED], let's talk about
24 this. Just talk about the incident, start to finish, back on
25 April 7th of 2016, regarding what you saw.
26 [REDACTED]: Okay. It has been a year now. I, more than a year
27 now, I am not too sure if I remember exactly what had happened.
28 INV. STONECIPHER: That's fine, [REDACTED]. Just the best of

1 your memory, what you can recall.

2 [REDACTED]: Okay. All I can remember is, at first, I just hear
3 somebody outside the window saying like, "Don't move," or
4 something to that regard. And then, I mean he had been saying it
5 so many times, that's what has drawn my attention to the window.
6 So, when I went up, when I went up to the window, I saw two
7 policemen, and then they are facing the [wall] to our building.
8 I assumed that they must be somebody by the [room], so the, the
9 building because I cannot see, I cannot see him just looking
10 down, because I wasn't exactly too close to the window.

11 And then, one of these policemen was holding an orange kind
12 of gun, long, and then the other one, I didn't really pay
13 attention to what he was holding or if he was holding anything.
14 But, uh, so after a while, I guess the guy didn't move, the one,
15 the guy by the [unintelligible], and so I went back to my desk.
16 And then, and then, and then actually, I heard the two shots. I
17 mean I don't know if it's shots, but I heard poom, poom, poom,
18 and then I hurry up and got up, and went to the window again. I
19 saw this, the guy that is by the [unintelligible], start coming
20 out [sit], he was standing up; I don't know.

21 Again, he was starting to come out and holding a knife in
22 his left hand, I believe, and he was like walking toward the,
23 out on the street, on the sidewalk, toward like... I, well the
24 police [unintelligible] a bit to the right of the street post
25 out there, and the man was going toward the pole with the knife
26 in his hand. And so, I think that the police holding the orange
27 gun must have shot him [something], but it doesn't seem to
28 affect him, and then he just keep on like walking like that, not

1 really fast, just walking. And, and all of a sudden, he just
2 fell.

3 And so, when I realize that he fell, and I was too scared
4 to look, I turned my back, and I didn't see. And then two
5 minutes later, maybe a minute later, I look again, he was lying,
6 facing [up], and then, I guess, he's dead?

7 INV. STONECIPHER: Okay. All right. And again, Agnes,
8 just to establish, this is the [REDACTED] building where you were
9 working at on Shotwell?

10 [REDACTED]: Right.

11 INV. STONECIPHER: Okay. And where are you located? Is
12 that on the second-floor where you're located, your office is?

13 [REDACTED]: Yes, I'm on the second-floor.

14 INV. STONECIPHER: Okay. Okay. Now, [REDACTED], if you could
15 estimate...well, when you're initially looking down and you're
16 watching this, how far away would you say you were, in regards
17 to like feet? How many feet do you think you were away from the
18 whole incident?

19 [REDACTED]: Uh, I'm just, I think it's just one below us. It's
20 just the window. I mean, I think the homeless is on the left,
21 and the police is on the right when I look down.

22 INV. STONECIPHER: Uh-huh.

23 [REDACTED]: So, they're on [unintelligible]. One is on the
24 left, one is on the right. It's right, right out the window.

25 INV. STONECIPHER: Okay. Got you. But again, like how
26 close to like, let's say, where the suspect was?

27 [REDACTED]: Okay.

28 INV. STONECIPHER: How close do you think you were to

1 him, in regards to feet? Like was he like six feet down, seven
2 feet down from where you were looking? You know?
3 [REDACTED]: Uh, that is farther. I mean like more than six
4 feet.
5 INV. STONECIPHER: Yeah. Okay.
6 [REDACTED]: I mean I can't, I'm not sure.
7 INV. STONECIPHER: Okay.
8 [REDACTED]: Ten feet.
9 INV. STONECIPHER: Okay. Wait, how many feet did you
10 say, [REDACTED]?
11 [REDACTED]: I would say ten feet.
12 INV. STONECIPHER: Okay.
13 [REDACTED]: At least ten feet.
14 INV. STONECIPHER: Okay. Okay. And when the officer with
15 the orange shotgun that you were talking about...
16 [REDACTED]: Well that gun, it's a long one, orange.
17 INV. STONECIPHER: Yeah, yeah, yeah, yeah. It was a
18 long, orange rifle, I think that's how you described it?
19 [REDACTED]: I can't, all I know is long and orange, because
20 I've never seen one of this before. So, it, it just draw my
21 attention. I just, "Wow, what is it?"
22 INV. STONECIPHER: Yeah. Got you. Yeah, it's like, what
23 that is, is something called, it's what they do is they fire
24 beanbag rounds. So, they're called non-lethal rounds.
25 [REDACTED]: Uh.
26 INV. STONECIPHER: So, yeah, so...
27 [REDACTED]: So, I think, yeah. They, they, they did shot a few
28 onto the, the homeless.

1 INV. STONECIPHER: Okay. Now, [REDACTED]...

2 [REDACTED]: [Inaudible.]

3 INV. STONECIPHER: Okay. I'm sorry.

4 [REDACTED]: Uh?

5 INV. STONECIPHER: Uh, no, I'm sorry. Go ahead, I'm

6 sorry.

7 [REDACTED] Uh, sorry. Then I think guy doesn't seem to be

8 affected by it. Maybe he's on drugs? I don't know, I'm not sure,

9 but he just keep on like walking toward the [pole]. I mean, in

10 my mind, I was thinking, "What the hell is he doing?" I mean

11 like, doesn't it hurt?

12 INV. STONECIPHER: Right.

13 [REDACTED] I don't know.

14 INV. STONECIPHER: Got you. Okay. So, [REDACTED], just to

15 establish this, what was that person doing? What was the suspect

16 doing before he got shot with the guy with the orange gun? Do

17 you know? Were you able to see him, what he was doing?

18 [REDACTED]: No. I mean, I cannot really see him, because I did

19 not go too close to the window. [We only looked down], at the

20 edge. But then I, from what the police are saying, "Don't move,"

21 so he must be like holding a gun [on him]. Maybe he just sitting

22 there or standing there, I have no idea.

23 INV. STONECIPHER: Okay.

24 [REDACTED]: But, "Don't move. Put it down," or something like

25 that. But I mean, they said it, they do say it many times.

26 INV. STONECIPHER: Okay. And again, [REDACTED], just to

27 clarify, where was the suspect, like where was he, I guess, when

28 police approached him? Do you know?

1 [REDACTED]: No, I cannot say exactly, but then it has been, I
2 mean, quite a few [unintelligible], because like [they said]
3 "Don't move [unless I'll shoot]," many times.
4 INV. STONECIPHER: Okay.
5 [REDACTED]: That's what draw my attention.
6 INV. STONECIPHER: Uh-huh, okay.
7 [REDACTED]: And then I went back to my desk, and then I have
8 to go back up again.
9 INV. STONECIPHER: Okay.
10 [REDACTED]: So, a couple of [steps], I don't know.
11 INV. STONECIPHER: Okay. All right. And [REDACTED], where did
12 his body, where did he fall down at? If we're looking, that side
13 of the street is Shotwell, what was he close by? Was he by any
14 landmarks? Like any kind of like street signs or like telephone
15 poles or anything like that? What was his body close by when he
16 collapsed?
17 [REDACTED]: Okay. Let's see, there was a street pole there.
18 That is maybe [two or two feet], maybe [4 feet, 5 feet] from the
19 pole, I am not too sure.
20 INV. STONECIPHER: Okay. Okay. And how far was, when his
21 body was on the ground, how far do you think he was from the
22 curb? How close was he to the curb of the street?
23 [REDACTED]: I think he [fell] maybe like just inside the curb;
24 I'm not too sure about that.
25 INV. STONECIPHER: Okay.
26 [REDACTED]: But he's kind of out there.
27 INV. STONECIPHER: Okay. But you don't know, in regards
28 to like he was like a foot away, two feet away from the curb?

1 [REDACTED]: No, but close to the curb.

2 INV. STONECIPHER: Okay.

3 [REDACTED]: Like he was, his head is by the curb, and then his

4 feet is by the window.

5 INV. STONECIPHER: Okay. All right. And [REDACTED], how did

6 he, did you see how he fell? Did he fall face forward or did he

7 fall backwards?

8 [REDACTED]: I did not see how he fell, because I...

9 INV. STONECIPHER: Okay.

10 [REDACTED]: I think, I don't know why, but I just turned my

11 back because something happened, and then when I look back

12 again, he's already fallen, like he's face up.

13 INV. STONECIPHER: Okay. All right. And then next time

14 you saw him, you saw him when he was laying on the ground.

15 Correct?

16 [REDACTED]: Right.

17 INV. STONECIPHER: After everything that transpired. Did

18 you happen to see any officers touching him at any point?

19 [REDACTED]: No.

20 INV. STONECIPHER: Okay. Okay, [REDACTED]. And then, you said

21 at one point, he was walking towards the pole. Is that right,

22 the suspect, before he fell?

23 [REDACTED]: Right.

24 INV. STONECIPHER: Okay. How would you describe the pace

25 at which he was walking? Was it slow? Was it fast? Was it like a

26 stumble?

27 [REDACTED]: It's kind of like, uh, [inaudible], it's not fast,

28 but at the same time moving, just moving like he's not really, I

1 | don't know. He...

2 | INV. STONECIPHER: Okay.

3 | [REDACTED]: Not a normal walk.

4 | INV. STONECIPHER: Okay. And as he's walking towards the

5 | pole, did you see him, where was the knife in his hand, or how

6 | was he holding it?

7 | [REDACTED]: I mean to me, I remember then, he was like holding

8 | the knife like he was holding the handle, and with the blade

9 | toward like up.

10 | INV. STONECIPHER: Okay. So, he had the blade up, is

11 | that what you're saying? Am I understanding that correctly?

12 | [REDACTED]: So, he was holding the handle, and the blade was

13 | toward the street side.

14 | INV. STONECIPHER: Okay. All right.

15 | [REDACTED]: I mean like maybe it [unintelligible] down, but

16 | he's holding like that.

17 | INV. STONECIPHER: Okay. Was the knife raised at all?

18 | Did he have it raised?

19 | [REDACTED]: Raised, well, a little bit. I mean like not [in

20 | the street], but then, maybe a little bit facing downwards, but

21 | then like for sure, pointing to the [front].

22 | INV. STONECIPHER: Okay. Got you. Okay. All right. I

23 | don't have any additional questions. This interview is

24 | concluded. The official time is 11:17 a.m.

25 | **END OF DOCUMENT**

26 |

27 |

28 |